

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **LUIS ANGEL POGGI FUENTES**  
SSN xxx-xx-7621  
**MIGDALIA MILIAN SANTIAGO**  
SSN xxx-xx-3400

Debtor(s)

CASE NO: **18-05636-MCF**

**Chapter 13**

- AMENDED -

**TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO\***

Total Agreed: **\$3,000.00**      Paid Pre-Petition: **\$1,000.00**      Outstanding (Through the Plan): **\$2,000.00**

\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

**Debtor's/s' Commitment Period:** ☒ Under Median Income 36 months    ☐ Above Median Income 60 months §1325(b)(1)(B)  
☐ The Trustee cannot determine debtor's/s' commitment period at this time.    Projected Disposable Income: **\$0.00**

**Liquidation Value: \$1,892,197.00    Estimated Priority Debt: \$0.00**

**If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$1,892,197.00**

With respect to the (amended) Plan date: **Jun 13, 2019 (Dkt 42)**      **Plan Base: \$222,058.00**

**The Trustee:**    ☐ **DOES NOT OBJECT**    ☒ **OBJECTS**    **Plan Confirmation**    Gen. Uns. Approx. Dist.: **100 %**

**The Trustee objects to confirmation for the following reasons:**

**[1325(a)(6)] Feasibility – Debtor(s) does not has/have the capacity to make proposed plan payments.**

The Trustee objects the plan for lack of feasibility because the source of income for the lump sum payment is uncertain. Debtors are providing a lump sum payment in the amount of \$120,000.00 from a proceeds of a claim for damages to be filed against Banco Popular de Puerto Rico ("BPPR"). BPPR has objected the plan for said reason as well.

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney throught CM-ECF notification system.

/s/ Jose R. Carrion, Esq.  
**CHAPTER 13 TRUSTEE**  
PO Box 9023884, San Juan PR 00902-3884  
Tel. (787)977-3535 Fax (787)977-3550

Date: August 13, 2019

/s/ Alexandra Rodriguez, Esq.